

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  GTE MIDWEST INCORPORATED	DOCKET NO. RPU-96-7 (TF-96-237)
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**ORDER TERMINATING DOCKET**

(Issued April 26, 2001)

On July 5, 1996, GTE Midwest Incorporated (GTE) filed the tariff, identified as TF-96-237. The tariff, which proposed rates for unbundled network elements, was filed pursuant to Iowa Code § 476.101(4)"a"(1). The Board docketed the case, identified as Docket No. RPU-96-7 on July 18, 1996.

Largely because of the pending GTE arbitration case with AT&T Communications of the Midwest, Inc. (AT&T), which included the same subject matter and had a short deadline, the procedural schedule was suspended on October 4, 1996. A new procedural schedule was issued on April 18, 1997, after the Board approved arbitrated unbundled network element rates in Docket No. AIA-96-3. In the new procedural schedule order, the Board expanded the docket to include rates for interconnection and the wholesale rate, as well as the original issue of rates for unbundled network elements.

After numerous modifications to the procedural schedule, the Board on April 20, 1998, issued an indefinite continuance of the procedural schedule. The reason was a remand by the federal district court of the GTE-AT&T arbitration

decision on judicial review in *GTE Midwest Incorporated v. IUB*. The April 20, 1998, order was the Board's last order in Docket No. RPU-96-7.

Subsequently, all of the GTE exchanges in Iowa have been purchased by Iowa Telecommunications Services, Inc. (Iowa TeleCom). In an order issued on April 13, 2000, in Docket No. SPU-99-29, the Board noted that Iowa TeleCom agreed to assume the existing GTE-AT&T interconnection agreement.

On September 25, 2000, the parties to the district court judicial review of the GTE-AT&T arbitrated interconnection agreement entered a stipulation of dismissal without prejudice. This effectively ended the appeal of the rates set in the GTE-AT&T arbitration.

At this time, Iowa TeleCom offers rates for interconnection and unbundled network elements and the wholesale rate as set in the interconnection agreement with AT&T. These rates substantially satisfy the requirements of Iowa Code § 476.101(4)"a"(1). It is appropriate to terminate Docket No. RPU-97-6.

**IT IS THEREFORE ORDERED:**

Docket No. RPU-96-7 is terminated.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper  
Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 26<sup>th</sup> day of April, 2001.